

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

RONNIE TOWNSEND, #121142 )

Plaintiff, )

v. )

CV NO 2:06-CV-564-MHT

CAPTAIN ATWOOD (EDWARD) & )  
LIEUTENANT COPELAND )

Defendants, )

**AFFIDAVIT**

**State of Alabama :**

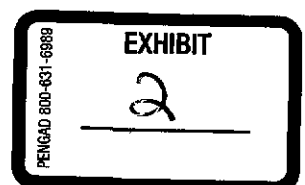
**Elmore County :**

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at Large, personally appeared Annie Latimore, who being known to me and being by me first duly sworn, deposes and says on oath as follows:

My name is Annie Latimore. I hereby certify and affirm that I am the Alternate Custodian of Records at Staton Correctional Facility, P.O. Box 56, Elmore, Alabama 36025. I am over twenty-one years of age and am competent to testify to the matters stated herein

The attached *State of Alabama Board of Corrections Institutional Incident Report* number SCF-04-0483 consisting of three pages, and *Alabama Department of Corrections Disciplinary Reports* consisting of two pages each are true, and exact and correct photocopies of documents maintained here in the institutional files.

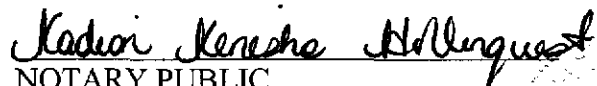
I further certify and affirm that said documents are maintained in the usual and ordinary course of business at Staton Correctional Facility and that said documents



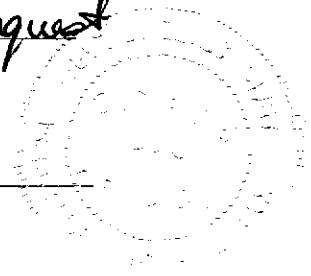
And entries therein were made reasonably near the time that such acts, events and transactions referred to therein are said to have occurred.

  
ANNIE LATIMORE

SWORN TO and SUBSCRIBED before me this 13<sup>th</sup> day of July 2006.

  
NOTARY PUBLIC

04/04/10  
My Commission Expires:



STATE OF ALABAMA  
BOARD OF CORRECTIONS

INSTITUTIONAL INCIDENT REPORT

N601

D of C

DOC No. 601 (REV. 4/81)

1. Institution: <b>Staton Correctional Facility</b>		2. Date: <b>May 24, 2004</b>		3. Time: <b>7:35 AM</b>		4. Incident Number: <b>SCF-04-0483</b>	
5. Location Where Incident Occurred: <b>Back Gate Area</b>				6. Type of Incident: RV#56- Failure to Obey A Direct Order Of a DOC RV#62-Intentionally Creating A Security, Safety or Health Hazard			
7. Time Incident Reported: <b>7:35 AM</b>				8. Who Received Report: <i>George Edwards</i> <b>Captain George Edwards</b>			
9. Victim:		a. <u>N/A</u> (type full name)		No. <u>N/A</u>			
		b. _____ (type full name)		No. _____			
10. Suspects:				11. Witnesses:			
a. <b>Ronnie Townsend</b>		No. <b>B/121142</b>		a. <u>N/A</u>		No. <u>N/A</u>	
b. _____		No. _____		b. _____		No. _____	
c. _____		No. _____		c. _____		No. _____	
d. _____		No. _____		d. _____		No. _____	
e. _____		No. _____		e. _____		No. _____	
				f. _____		No. _____	
				g. _____		No. _____	
Physical Evidence:							
12. Type of Evidence: <u>N/A</u>							
13. Description of Evidence: <u>N/A</u>							
14. Chain of Evidence:							
a. <u>N/A</u>							
b. _____							
c. _____							
d. _____							
15. Narrative Summary: On May 24, 2004, Lieutenant Willie Copeland was assigned as Staton First Shift Commander. At approximately 7:00 AM, Officer William Smith did call Inmate Ronnie Townsend, AIS#-121142, to Staton Back Gate for check out for work detail. At Staton Correction Facility, all inmates assigned to a farm squad are instructed to report to Staton Back Gate at 7:00 A.M. daily.							
At approximately 7:35 AM, Inmate Ronnie Townsend, AIS#121142, assigned to farm squad (F12), failed to report to the Back Gate for check out, with assigned farm squad. Inmate Townsend did not report to Staton Back Gate.							
At approximately 7:40 AM, Lieutenant Copeland escorted Inmate Townsend from Inmate Townsend's assigned dormitory (Front of B-dorm) to Staton Back Gate. At Staton Correction Facility inmates that missed their schedule check out time, are transported to their assigned work squad via state vehicle.							



## DISTRIBUTION:

ORIGINAL Investigation and Inspection Division  
COPY to Deputy Commissioner, Institutions  
COPY to Institutional File  
COPY to Central Records File

D of C - N 602

## CONTINUATION SHEET

**Institution:**  
**Staton Correctional Facility****Incident Number:**  
**SCF-02-****Date:**  
**May 24, 2004****Type of Incident:** RV#56-Failure to Obey a Direct Order of a ALDOC  
RV#62-Intentionally Creating A Security, Safety or Health Hazard**Narrative Summary (Continued) Page No. 2**

At approximately 7:40 A.M., Lieutenant Copeland called via hand held radio, Lieutenant Daniel Avant and Sergeant Jimmy Taunton to Staton Back Gate to pick up inmates that missed the Back Gate check out.

At approximately 7:42A .M. Lt. Avant and Sgt. Taunton arrived at Staton Back Gate.

At approximately 7:43A.M. Lt. Copeland instructed Inmate Townsend to get onto the State Vehicle. Inmate Townsend stated, "I am going to run."

Inmate Townsend complied with Lt. Copeland's instructions; as the State Vehicle pulled off, Inmate Townsend jumped from the rear of the State Vehicle. Inmate Townsend stated, "I told ya'll I wasn't going to no damn farm".

Inmate Townsend was returned to the Back Gate Sallyport area by Lt. Copeland. Inmate Townsend was then reprimanded by Lt. Copeland and informed that disciplinary action was pending for Rule Violation #62, Intentionally Creating A Security, Safety or Health Hazard and Rule violation # 56, Failure To Obey A Direct Order of A ALDOC Official.

Inmate Townsend was escorted to Staton Health Care Unit for a body chart by Officer William McDaniel and Officer Thomas Allen. Inmate Townsend was examined by LPN Hampton.

At approximately 9:15 AM. Inmate Townsend was released back to ALDOC (See attached body chart).

Inmate Townsend was then placed in Staton

Holding Unit Cell #2.

At approximately 7:50 AM. Lt. Copeland apprised Captain George Edwards of the aforementioned incident.

No other action taken at this time.

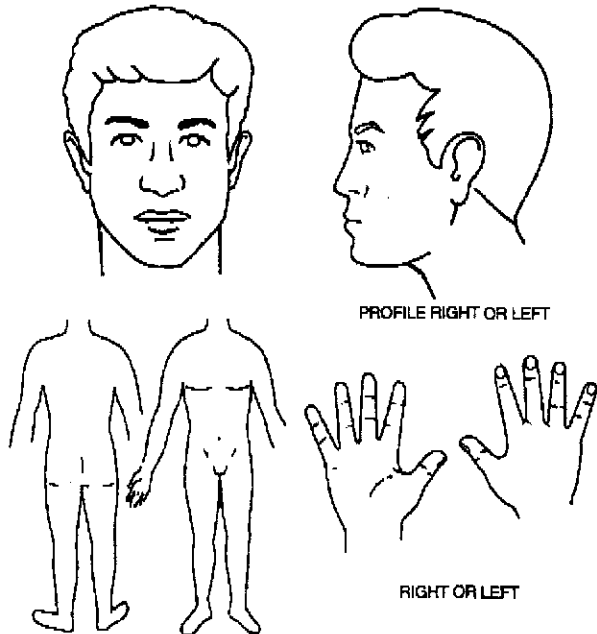


Lieutenant Willie Copeland



## EMERGENCY

wt 166

ADMISSION DATE 5/24/04		TIME 9:20 PM	ORIGINATING FACILITY Station		<input type="checkbox"/> SICK CALL <input type="checkbox"/> EMERGENCY <input checked="" type="checkbox"/> PATIENT	
ALLERGIES morphine			CONDITION ON ADMISSION <input checked="" type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR <input type="checkbox"/> SHOCK <input type="checkbox"/> HEMORRHAGE <input type="checkbox"/> COMA			
VITAL SIGNS: TEMP 99°		ORAL RECTAL	RESP. 20	PULSE 76	B/P 142/88	RECHECK IF SYSTOLIC <100>50
NATURE OF INJURY OR ILLNESS S: "The inmate states he was standing up on the truck when he drove off & fell."			ABRASION ///   CONTUSION #   BURN xx   FRACTURE Z   LACERATION / SUTURES Z 			
PHYSICAL EXAMINATION D: A+X3 Skin white to touch. Resp reg & ease. 4th old B/A c 40 pain to lower back at 17 shoulder. P bruising noted to shoulder on to body. P spasm noted to lower back when asked to bend forward. Pain voiced when ask to bend over. 40 pain to head. P edema P deformities noted to rt hand.			ORDERS / MEDICATIONS / IV FLUIDS   TIME   BY P: MD/PA to review 1) X-Ray Lower Back			
A: Alt comfort						
DIAGNOSIS						
INSTRUCTIONS TO PATIENT						
DISCHARGE DATE 5/24/04		TIME 9:15 AM	RELEASE / TRANSFERRED TO DOC		CONDITION ON DISCHARGE <input checked="" type="checkbox"/> SATISFACTORY <input type="checkbox"/> POOR <input type="checkbox"/> FAIR <input type="checkbox"/> CRITICAL	
NURSE'S SIGNATURE J. Langston		DATE 5/24/04	PHYSICIAN'S SIGNATURE J. Langston		DATE 5/24/04	
INMATE NAME (LAST, FIRST, MIDDLE) Townsend, Bonnie			DOC# 121142	DOB 7-18-58	R/S B/M	FAC. Station

ALABAMA DEPARTMENT OF CORRECTIONS  
DISCIPLINARY REPORT

SCF-04-0483

DOC Form 225B (Revised 7/92)

ENTERED MAY 28 2004

1. INMATE: Ronnie Townsend CUSTODY: Medium AIS NO: 1211422. FACILITY: Staton Correctional Facility3. The above named inmate is being charged by Lieutenant Willie Copeland with violation of rule #62 specifically Intentionally Creating A Security, Safety or Health Hazard from regulation # 403, which occurred on or about May 24, 2004 at (time) 7:40 AM. Location: Back Gate Area hearing on this charge will be held after 24 hours from service.4. Circumstances of the violation(s) are as follows: On May 24, 2004, at approximately 7:40AM, Inmate Ronnie Townsend, AIS#121142, assigned to (F12), failed to report to the Backgate for check out. Lt. Copeland located Inmate Townsend in front of B-Dorm, and Lt. Copeland escorted Inmate Townsend to the Backgate. Lt. Copeland used a reasonable amount of force necessary to put Inmate Townsend onto the truck. Inmate Townsend jumped off of moving truck, the truck did not depart the Backgate. Inmate Townsend is charged with RV#62-Intentionally Creating A Security, Safety of Health Hazard.5. Willie Copeland, COSI  
Arresting Officer / Typed / RankWillie Copeland, COSI  
Arresting Officer / Signature / Rank6. I hereby certify that I have personally served a copy of the foregoing upon the above named inmate and I informed inmate of his right to present a written or oral statement at the hearing and to present written questions for the witnesses on this the 24th day of MAY, 2004, at (time) 9:16 (am/pm)7. E.T. Senhu  
Serving Officer / Signature / RankRefused to sign (E.T.S.)  
Inmate's Signature / AIS Number8. Witnesses desired? NO Refused to sign (E.T.S.)  
Inmate's Signature

Inmate's Signature

9. If yes, list: \_\_\_\_\_

10. Hearing Date MAY 26, 2004 Time 9:30 AM Place H-Dorm Cube

11. Inmate must be present in Hearing Room. If he is not present explain in detail on additional page and attach.

12. A finding is made that inmate (is) is not capable of representing himself.Willie Copeland, COSI Dft. Shuman Rogers  
Signature / Hearing Officer13. Plea: "Refused to sign" Not Guilty Guilty

14. The Arresting Officer, Inmate, and all witnesses were sworn to tell the truth.

Willie Copeland, COSI Dft. Shuman Rogers  
Signature / Hearing Officer15. Arresting Officer's testimony (at the hearing): On May 24, 2004, at approximately 7:40 AM, Inmate Ronnie Townsend, B/121142, assigned to Farm Squad 12, failed to report to the Backgate for check out. Lt. Copeland located Inmate Townsend in front of B-dorm, and Lt. Copeland escorted Inmate Townsend to the Backgate. Lt. Copeland used a reasonable amount of force necessary to put Inmate Townsend onto the truck. Inmate Townsend jumped off of the truck, the truck did not depart the Backgate. Inmate Townsend is charged with RV#62/Intentionally Creating a Security, Safety or Health Hazard.

16. Inmate's Testimony: On May 26, 2004 at approximately 9:30 AM. Inmate Ronnie Townsend declined to attend the disciplinary hearing process.

Witness: N/A

Substance of Testimony: N/A

Witness:

Substance of Testimony:

Witness: N/A

Substance of Testimony: N/A

17. The Inmate was allowed to submit written question to all witnesses.  
Inmate Townsend did not request witnesses.

Signature / Hearing Officer

18. The Following witnesses were not called - reason not called

1. N/A

N/A

2.

3.

19. After hearing all testimony, the Hearing Officer makes the following findings of fact: (Be Specific)

The Hearing Officer finds that on May 24, 2004, at approximately 7:40 AM, at Station Correction Facility's Back Gate, Inmate Ronnie Townsend, AIS#-121142, jumped from the rear of a State Vehicle. Inmate Townsend did not present a written statement or make a verbal statement. Inmate Townsend's presented no evidence to refute the charges. Therefore, the Hearing Officer finds Inmate Ronnie Townsend, AIS#-121142, guilty of Rule Violation #62, Intentionally Creating a Security, Safety, or Health Hazard.

20. **Basis for Finding of Fact:** The finding is based on the testimony of Lieutenant Willie Copeland, arresting officer, who stated under oath, that Inmate Ronnie Townsend, AIS#-121142, jumped off of a State Vehicle. The Hearing Officer asked Inmate Townsend for a written/verbal statement. Inmate Townsend declined, Inmate Townsend did not present evidence to refute the charge. Therefore, Inmate Townsend is guilty of Rule Violation #62-Intentionally Creating a Security, Safety, or Health Hazard.

21. **Hearing Officer's Decision:** ☒ Guilty ☒ Major  
☐ Not Guilty ☐ Minor

22. **Recommendation of Hearing Officer:** The HO recommends 45-days loss of all privileges to include canteen, phone, and visitation. Also, 45-days disciplinary segregation, refer to classification for review.

Signature / Hearing Officer

Sergeant Sharon Rogers

Typed Name and Title

23. **Warden's Action - Date** 5/27/04  
**Approved:** George Edwards, COST  
**Disapproved**  
**Other (specify)**

24. **Reason if more then 30 calendar days delay in action.**

25. I hereby certify that a completed copy of the foregoing Disciplinary Report was served on the above  
Named inmate on this the 27th day of MAY 2004, at (time) 6:19 (am / pm)

Signature / Serving Officer / Title

Inmate's Signature and AIS Number

Annex C of AR 403 (page 2 of 3 pages)



ALABAMA DEPARTMENT OF CORRECTIONS  
DISCIPLINARY REPORT

DOC Form 225B (Revised 7/92)

ENTERED MAY 28 2004  
SCF-04-0483

1. INMATE: Ronnie Townsend CUSTODY: Medium AIS NO.: B/M 121142

2. FACILITY: Staton Correctional Facility

3. The above named inmate is being charged by Lieutenant Willie Copeland with violation of rule #56 specifically Failure To Obey A Direct Order Of A ALDOC Official from regulation # 403, which occurred on or about May 24, 2004 at (time) 7:35 AM. Location: Back Gate Area hearing on this charge will be held after 24 hours from service.

4. Circumstances of the violation(s) are as follows: On May 24, 2004, at approximately 7:35 AM, Inmate Ronnie Townsend, AIS#121142, assigned to (F12), failed to report to the Backgate for check out. All inmates assigned to a farm squad are instructed to report to the Backgate at 7:00 AM., Inmate Townsend did not comply with Lt. Copeland's order. Therefore, Inmate Townsend is charged with RV#-56 Failure to Obey A Direct Order Of A ALDOC Official

5. Willie Copeland, COSI

Arresting Officer / Typed / Rank

Willie Copeland COSI  
Arresting Officer / Signature / Rank

6. I hereby certify that I have personally served a copy of the foregoing upon the above named inmate and I informed inmate of his right to present a written or oral statement at the hearing and to present written questions for the witnesses on this the 24th day of MAY, 2004, at (time) 9:15 (a.m./p.m.)

7. C. T. Senh  
Serving Officer / Signature / Rank

Refused to sign (ETS)  
Inmate's Signature / AIS Number

8. Witnesses desired?

NO Refused to sign (ETS) YES  
Inmate's Signature Inmate's Signature

9. If yes, list: \_\_\_\_\_

10. Hearing Date MAY 26, 2004 Time 9:40 AM. Place H-Dorm Cube

11. Inmate must be present in Hearing Room. If he is not present explain in detail on additional page and attach.

12. A finding is made that inmate (is / is not) capable of representing himself.

Sgt. Thurman D. Rooks  
Signature / Hearing Officer

13. Plea: "Refused to sign" Sgt. Thurman D. Rooks Not Guilty Guilty

14. The Arresting Officer, Inmate, and all witnesses were sworn to tell the truth.

Sgt. Thurman D. Rooks  
Signature / Hearing Officer

15. Arresting Officer's testimony (at the hearing): On May 24, at approximately 7:35 AM, Inmate Ronnie Townsend, B/121142, assigned to Farm Squad 12, failed to report to the Backgate for check out. All inmates assigned to a farm squad are instructed to report to the Backgate at 7:00 AM, Inmate Townsend did not comply with Lt. Copeland's order. Therefore, Inmate Townsend is charged with RV#56/Failure to Obey a Direct Order of a ALDOC Official.



Inmate's testimony 00560-MT-16, 2004 at approximately 7:40 AM. Inmate Ronnie Townsend declined to attend the disciplinary hearing process.

Witness: N/ASubstance of Testimony: N/A

Witness: \_\_\_\_\_

Substance of Testimony: \_\_\_\_\_

Witness: N/ASubstance of Testimony: N/A

17. The Inmate was allowed to submit written question to all witnesses.

Inmate Townsend did not request witnesses.

Apt. Sharon O. Rogers  
Signature / Hearing Officer

18. The Following witnesses were not called

reason not called

1. N/A

N/A

2. \_\_\_\_\_

3. \_\_\_\_\_

19. After hearing all testimony, the Hearing Officer makes the following findings of fact: (Be Specific)

The Hearing Officer finds that on May 24, 2004, at approximately 7:35 AM, at Staton Correction Facility's Back Gate, Inmate Ronnie Townsend, AIS#-121142, failed to report to the Backgate for check out. The HO further finds that any inmate assigned to a farm squad that failed to report to the Backgate for check out is guilty of RV-#56. Therefore, Ronnie Townsend, AIS#-121142, guilty of Rule Violation #56, Failure To Obey A Direct Order Of A ALDOC Official.

20. **Basis for Finding of Fact:** The finding is based on the testimony of Lieutenant Willic Copeland, arresting officer, who stated under oath, that Inmate Ronnie Townsend, AIS#-121142, jumped off of a State Vehicle. The Hearing Officer asked Inmate Townsend for a written/verbal statement. Inmate Townsend declined, Inmate Townsend did not present evidence to refute the charge. Therefore, Inmate Townsend is guilty of Rule Violation #56-Failure To Obey A Direct Order Of A ALDOC Official.

21. Hearing Officer's Decision: XX Guilty XX Major  
Not Guilty Minor

22. Recommendation of Hearing Officer: The HO recommends 45-days loss of all privileges to include canteen phone, and visitation. Also, 45-days disciplinary segregation, refer to classification for review.

Apt. Sharon O. Rogers  
Signature / Hearing Officer

Sergeant Sharon Rogers

Typed Name and Title

23. Warden's Action - Date 5/27/2004

Approved George Edwards, COSTE

Disapproved \_\_\_\_\_

Other (specify) \_\_\_\_\_

24. Reason if more then 30 calendar days delay in action. \_\_\_\_\_

25. I hereby certify that a completed copy of the foregoing Disciplinary Report was served on the above Named inmate on this the 27th day of MAY 2004, at (time) 6:18 (am/pm).

E. T. San  
Signature / Serving Officer / Title

Refused to sign (ETS)  
Inmate's Signature and AIS Number

Annex C of AR 403 (page 2 of 3 pages)